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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ERNESTINE WHEELER,
Plaintiff,

vs.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,
Defendant.

Case No. 1:21-cv-01225-JLT-BAM
STIPULATION AND ~~PROPOSED~~
ORDER FOR EXTENSION OF
TIME

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from July 5, 2022 to September 6, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. As Counsel has reported previously in many other cases in this district, Counsel for the Plaintiff underwent major orthopedic surgery on March 17, 2022. Although it has been over

1 three months, Counsel continues to work short periods throughout the day with
2 significant breaks throughout. Counsel continues to attend physical therapy four
3 days a week.

4 Additionally, for the weeks of June 27, 2022 and July 5, 2022, Counsel for
5 Plaintiff has 17 merit briefs, and several letter briefs and reply briefs. For the
6 remainder of the month of July 2022, there are 28 additional merit briefs currently
7 scheduled.

8 Defendant does not oppose the requested extension. Counsel apologizes to
9 the Defendant and Court for any inconvenience this may cause.

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12 Respectfully submitted,

13 Dated: June 22, 2022 PENA & BROMBERG, ATTORNEYS AT LAW
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15 By: /s/ Jonathan Omar Pena
16 JONATHAN OMAR PENA
17 Attorneys for Plaintiff
18

19 Dated: June 22, 2022 PHILLIP A. TALBERT
20 United States Attorney
21 PETER K. THOMPSON
22 Acting Regional Chief Counsel, Region IX
23 Social Security Administration
24

25 By: */s/ Patrick Snyder
26 Patrick Snyder
27 Special Assistant United States Attorney
28 Attorneys for Defendant
(*As authorized by email on June 22, 2022)

ORDER

Pursuant to stipulation, and good cause appearing, Plaintiff's request for a second extension of time to file her Motion for Summary Judgment is GRANTED. Plaintiff shall file her Motion for Summary Judgment on or before September 6, 2022. All other deadlines in the Court's Scheduling Order are modified accordingly.

IT IS SO ORDERED.

Dated: June 24, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE